

**REMARKS**

By this amendment, claims 3-8, 13, 16-24, 26-33, and 35-41 are currently pending in the subject application, and are presently under consideration. Claims 16 and 24 are allowed. Claims 3-8, 13, 17-23, 26-33 and 35-41 are rejected. Claims 3, 35, 39 and 41 have been amended. Claims 1-2, 10-12 and 34 have been canceled.

The present amendment is being submitted after the filing of a Notice of Appeal, but before the filing of an Appeal Brief. Claims 3, 35 and 40 have been rewritten in independent form, while claims 1-2, 10-12 and 34 have been canceled. Per 37 C.F.R. §1.116(b) the amendments to the claims should be entered because the amendments and cancellation of claims put the application in better condition for appeal. Thus, entry of the present amendment to the claims is respectfully requested.

In view of the foregoing remarks, Applicant respectfully submits that the present amendment be entered. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Should the Examiner have any questions concerning this paper, the Examiner is invited and encouraged to contact Applicant's undersigned attorney at (216) 621-2234, Ext. 106.

Fees for two additional independent claims in excess of three are being charged to a Deposit Account. In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to Deposit Account No. 08-2025.

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via electronic filing on June 22, 2010.

**CUSTOMER NO.: 022879**

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Respectfully submitted,



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